

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 16th day of November A. D. 1936.

[File No. 2-2592]

**IN THE MATTER OF REGISTRATION STATEMENT OF RICKARD
RAMORE GOLD MINES, LTD.**

ORDER FIXING TIME AND PLACE OF HEARING UNDER SECTION 8 (D) OF THE SECURITIES ACT OF 1933, AS AMENDED, AND DESIGNATING OFFICER TO TAKE EVIDENCE

It appearing to the Commission that there are reasonable grounds for believing that the registration statement filed by Rickard Ramore Gold Mines, Ltd., under the Securities Act of 1933, as amended, includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading,

It is ordered, that a hearing be held, pursuant to the provisions of Section 8 (d) of said Act as amended, such hearing to be convened on November 30, 1936, at 10 o'clock in the forenoon, in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C., and to continue thereafter at such time and place as the officer hereinafter designated may determine; and

It is further ordered, that John H. Small, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3442—Filed, November 18, 1936; 12:59 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 16th day of November A. D. 1936.

[File No. 2-2553]

**IN THE MATTER OF REGISTRATION STATEMENT OF MOUNTAIN
STATE WATER COMPANY**

ORDER FIXING TIME AND PLACE OF HEARING UNDER SECTION 8 (D) OF THE SECURITIES ACT OF 1933, AS AMENDED, AND DESIGNATING OFFICER TO TAKE EVIDENCE

It appearing to the Commission that there are reasonable grounds for believing that the registration statement filed by Mountain State Water Company under the Securities Act of 1933, as amended, includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading,

It is ordered, that a hearing be held, pursuant to the provisions of Section 8 (d) of said Act as amended, such hearing to be convened on December 1, 1936, at 10 o'clock in the forenoon, in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C., and to continue thereafter at such time and place as the officer hereinafter designated may determine; and

It is further ordered, that Charles S. Lobingier, an officer of the Commission be, and he hereby is, designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3443—Filed, November 18, 1936; 12:59 p. m.]

UNITED STATES MARITIME COMMISSION.

[General Order No. 4]

**PROCEDURE FOR HANDLING ADJUSTMENTS OF OCEAN MAIL
CONTRACTS**

NOVEMBER 17, 1936.

Effective this date, Commissioner George Landick, Jr., has assumed direction of the adjustment of existing ocean mail contracts, pursuant to the provisions of Title IV of the Merchant Marine Act, 1936, and the various functions incident to such adjustments will be supervised directly by him.

The development of statistical data and information required for such adjustments will be in direct charge of the Director of the Division of Research, under the supervision of Commissioner Landick.

James Craig Peacock, Special Counsel, will act as adviser to Commissioner Landick in connection with ocean mail contract adjustments in consultation with the Acting General Counsel of the Commission.

By order of the United States Maritime Commission.

[SEAL]

TELFAIR KNIGHT, *Secretary*.

[F. R. Doc. 3423—Filed, November 17, 1936; 3:52 p. m.]

Friday, November 20, 1936

No. 179

DEPARTMENT OF THE INTERIOR.

Division of Grazing.

**AMENDMENTS TO SUPPLEMENTARY RULES FOR ADMINISTRATION
OF GRAZING DISTRICTS**

To All Officers, Division of Grazing:

Sms: In addition to the remedies provided for the enforcement of, and redress for violation of, the Rules for Administration of Grazing Districts approved by the Secretary of the Interior on March 2, 1936, as amended by Supplementary Rules approved July 14, 1936, the following action will be taken in appropriate cases:

DISCIPLINARY ACTION BY REGIONAL GRAZERS

The regional grazer is hereby granted authority to revoke a grazing license, in whole or in part, for a clearly established trespass or violation of the terms or conditions of the license or of the regulations upon which it is based, or the instructions of the officers of the Division of Grazing issued thereunder; provided, however, that before any license is revoked, in whole or in part, the regional grazer, or his authorized representative, shall serve, or cause to be served, a notice upon such licensee, setting forth the trespass or violation with which he is charged and citing him to appear before the regional grazer, or his authorized representative, at a time and place named in the notice within forty-eight hours and show cause why his license should not be revoked in whole or in part.

If upon the hearing of the order to show cause the trespass or violation with which the licensee is charged has been established, the regional grazer shall revoke the license in whole or in part as he may deem proper.

Failure of the person served in the notice to appear at the time and place designated in the notice, or the absence of a good and sufficient showing as to why he failed to appear, shall be considered an admission of guilt of the trespass or other violation charged in the notice and will be sufficient reason for revocation of the license.

AMICABLE SETTLEMENT OF CIVIL TRESPASS CASES

The peaceful, voluntary settlement for damages resulting from trespass or violation of the terms or conditions of a license, or of the rules, regulations, or orders provided for the administration of grazing districts is to be preferred to a lawsuit in most cases. Therefore, in cases where a voluntary settlement for such damages may be procured, and in the judgment of the regional grazer the offer constitutes fair restitution to the Government for the damage, he shall submit the same with appropriate recommendation for the consideration of the Department.

In cases of minor grazing trespass or infractions of the rules or terms of the license where the damage amounts to only a few dollars, formal legal or disciplinary action as provided under the heading "Disciplinary Action by Regional Graziers" is believed to be inadvisable, and the procedure outlined in the above paragraph is recommended.

ISSUANCE OR RENEWAL OF LICENSE

In cases where a trespasser or violator of the rules desires a grazing license or a renewal thereof, settlement of the damages resulting from the trespass or violation shall be required before favorable action is taken on the application.

Nothing herein provided is intended to deny the right of appeal from actions of the regional grazer as provided by the Rules for Administration of Grazing Districts, but pending appeal and determination thereof, the decision of the regional grazer shall be in full force and effect.

Very truly yours,

JULIAN TERRETT,
Acting Director.

Approved, November 11, 1936.

HAROLD L. ICKES,
Secretary of the Interior.

[F.R. Doc. 3451—Filed, November 19, 1936; 9:55 a. m.]

Geological Survey.

OIL AND GAS OPERATING REGULATIONS APPLICABLE TO LANDS OF THE UNITED STATES AND TO ALL RESTRICTED TRIBAL AND ALLOTTED INDIAN LAND (EXCEPT OSAGE INDIAN RESERVATION):

[Revised November 1, 1936]

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OIL AND GAS OPERATING REGULATIONS

Applicable to Lands of the United States and to all Restricted Tribal and Allotted Indian Land (Except Osage Indian Reservation)

INTRODUCTION

These operating regulations are issued to govern oil and gas operations, as follows:

On public lands and naval petroleum reserves: Under the act of February 25, 1920 (41 Stat. 437); act of June 4, 1920 (41 Stat. 813); act of March 4, 1923 (42 Stat. 1448); act of April 30, 1926 (44 Stat. 373); act of February 25, 1928 (45 Stat. 148); act of May 31, 1930 (46 Stat. 373); act of March 4, 1931 (46 Stat. 1523); act of February 9, 1933 (47 Stat. 798); act of May 23, 1934 (48 Stat. 790); act of June 16, 1934 (48 Stat. 977); act of August 21, 1935 (49 Stat. 674); and any amendments thereto or other applicable laws not cited herein.

On restricted Indian lands: Under the act of February 28, 1891 (26 Stat. 795); act of April 26, 1906 (34 Stat. 137); act of May 27, 1908 (35 Stat. 312); act of March 3, 1909 (35 Stat. 781-783); act of February 14, 1920 (41 Stat. 426); act of May 29, 1924 (43 Stat. 244); act of May 26, 1930 (46 Stat. 385); and any amendments thereto or other applicable laws not cited herein.

The following regulations will govern the development and production of oil, gas, and casing-head or natural gasoline, including propane, butane, and other hydrocarbons, on re-

served and unreserved public lands of the United States, including naval petroleum reserves, and on restricted Indian lands, tribal and allotted.

DEFINITIONS

The following terms as used in these regulations shall have the meanings here given:

Supervisor.—A representative of the Secretary of the Interior, under direction of the Director of the United States Geological Survey, authorized and empowered to supervise and direct operations under oil and gas leases and prospecting permits, to furnish scientific and technical information and advice, to ascertain and record the amount and value of production, and to determine and record rentals and royalties due and paid pursuant to these regulations. As to lands in naval petroleum reserves within his district, a supervisor serves also as a representative of the Secretary of the Navy.

Representative.—Any employee of the Department of the Interior who is designated by a supervisor to perform any specified duties or to act for him in any specified part or all of the supervisor's district.

Officer in Charge.—The supervisor or such other officer as the Secretary of the Interior may designate to supervise technical operations for the development and production of oil and gas on restricted Indian lands. Over such lands he shall exercise the authority and power and perform the duties of supervisor as provided in these regulations.

Superintendent.—The superintendent of an Indian agency, or other officer authorized to act in matters of record, law, and collections with respect to oil or gas leases for restricted Indian lands.

Lease.—A prospecting permit, lease, or other agreement authorized by law for the development and production of oil or gas on lands of the United States or on restricted Indian lands.

Leased Lands, Leasehold.—Lands or interests in lands or deposits covered by a lease as herein defined.

Lessor.—The party to a lease who holds title to the leased lands.

Lessee.—The party authorized by a lease to develop and produce oil or gas on the leased lands in accordance with these regulations.

Permittee.—A lessee whose rights are defined by an oil and gas prospecting permit.

JURISDICTION

Drilling and producing operations, handling and gaging of oil and the measurement of gas or other products, rental and royalty liability and payments, and technical operations generally are under the jurisdiction of the supervisor or his representative in the district where the leased lands are located. Upon request, the district oil and gas supervisor or the Director, United States Geological Survey, Washington, D. C., will advise any person concerning these or any other matters relative to oil and gas development and operation on lands subject to these regulations.

SUPERVISION

The supervisor is hereby authorized to require compliance with lease terms, with these regulations, and with applicable law to the end that all operations shall conform to the best practice and shall be conducted in such manner as to protect the deposits of the leased lands and result in the maximum ultimate recovery of oil and gas with minimum waste.

Inasmuch as conditions in one area may vary widely from conditions in another area, these regulations are general, and detailed procedure thereunder in any particular area is subject to the judgment and discretion of the supervisor.

Section 1. Powers and Duties of Supervisor.—The supervisor directly or through his representatives shall have the authority and the obligation to perform the following duties:

(a) Inspect and supervise operations for the development and production of oil and gas or related products for the purpose of insuring compliance with these regulations; prevent waste of oil and gas, damage to formations or deposits

containing oil, gas, or water or to coal measures or other mineral deposits, injury to life or property, or economic waste; and issue instructions necessary, in his judgment, to accomplish these purposes.

(b) Make reports to his superior administrative officer as to the general condition of leased lands and the manner in which operations are being conducted and departmental orders are being obeyed, and submit from time to time information and recommendations for safeguarding and protecting surface property and underlying mineral-bearing formations.

(c) Prescribe the manner and form in which records of all operations, reports, and notices shall be made by lessees.

(d) Require that, in the manner prescribed or approved by him, adequate samples be taken and tests or surveys be made to determine (1) the identity and character of formations, (2) the presence or waste of oil, gas, or water, (3) the quantity and quality of oil, gas, or water, (4) the amount and direction of deviation of any well from the vertical, and (5) the proper conduct of operations with due regard to the interests of the lessor.

(e) Require correction, in a manner to be prescribed or approved by him, of any condition which is causing or is likely to cause damage to any formation containing oil, gas, or water or to coal measures or other mineral deposits, or which is dangerous to life or property or wasteful of oil, gas, or water; require substantially vertical drilling when necessary to protect interests in other properties; demand drilling in accordance with the terms of the lease or of these regulations; and require plugging and abandonment of any well or wells no longer used or useful in accordance with such plans as may be approved or prescribed, and, upon failure to comply with such requirement, perform the work at the expense of the lessee, expending available public funds, and submit such report as may be needed to furnish a basis for appropriate action to obtain reimbursement.

(f) Fix the percentage of the potential capacity of any oil or gas well that may be utilized when, in his opinion, such action is necessary to protect the productive formations, and specify the time and method for determining the potential capacity of such wells.

(g) Approve a well-spacing and well-casing program for the proper development of the lease and assist and advise lessees in the planning and conduct of tests and experiments for the purpose of increasing the efficiency of operation.

(h) Compile and maintain records of production and of rentals and royalties due and paid, estimate drainage and compute losses to the lessor resulting therefrom, and estimate the amount and value of gas and other products wasted. The supervisor shall render monthly to the lessee or his agent statements showing the amount of oil, gas, casing-head or natural gasoline, propane, butane, or other hydrocarbons produced and the amount due to the lessor as royalty from each lease; the loss by drainage and the compensation due to the lessor as reimbursement; and, except as to any disposal of gas that shall have been determined by the Secretary of the Interior to be sanctioned by the laws of the United States and of the State in which it occurs, the amount and full value, computed at a price of not less than 5 cents per 1,000 cubic feet, of all gas wasted by blowing, release, escape into the air, or otherwise.

(i) Approve, subject to such conditions as he shall prescribe, division orders granting to pipe-line companies authority to receive oil or gas from leased lands in accordance with Government rules and regulations; sign run tickets or other receipts for royalty oil delivered to a representative of the lessor or to the lessor's account. Approve sales contracts, subject to any conditions, modification, or revocation that may be prescribed on review thereof by the Secretary of the Interior or by the Secretary of the Navy if for production from the naval petroleum reserves.

(j) On receipt of an application for relief from any drilling or producing requirement under a lease, (1) forward such application, with a report and recommendation, to the appropriate official and, pending action thereon, grant such

temporary relief as he may deem warranted in the premises, or (2) reject such application, subject to the right of appeal as provided in section 6 hereof, and (3) terminate authorized relief after notice of intention to resume operations or upon his own initiative.

(k) Require, by written notice or otherwise, immediate suspension of any operation or practice contrary to the requirements of these regulations or to the written orders of the supervisor or his representative, and, in his discretion, shut down any operation and place under seal any property or equipment necessary to assure compliance with such regulations or orders.

(l) Receive and transmit promptly for review all appeals from his written orders, together with his report in the premises.

SECTION 2. Requirements for all lessees (including permittees) and their authorized agents.—(a) The lessee shall comply with the terms of the agreement, lease, or permit and of these regulations and with the written instructions of the supervisor or his representatives and shall take precautions to prevent waste of oil or gas, damage to formations or deposits containing oil, gas, or water or to coal measures or other mineral deposits, injury to life or property, or economic waste.

(b) The lessee, before he begins drilling or other operations, shall designate in writing for each permit, lease, or agreement, the name and post-office address of a local agent on whom the supervisor or other authorized representative of the United States may serve notice or communicate in obtaining compliance with these regulations.

If the local agent so designated shall at any time be incapacitated for duty or absent from his designated address, the lessee shall designate in writing a substitute to serve in his stead, and, in the absence of such agent or of written notice of the appointment of a substitute, any employee of the lessee who is on the leased lands or the contractor or other person in charge of operations will be considered the agent of the lessee for the service of written orders or notices as provided in these regulations, and service in person or by ordinary mail upon any such employee, contractor, or other person will be deemed service upon the lessee. All changes of address and any termination of the agent's authority shall be immediately reported, in writing, to the supervisor or his representative. In case of such termination or of controversy between the lessee and the designated agent, the Department will recognize the record title holder, but the agent, if in possession of the leasehold will be required to protect the interests of the lessor.

(c) The lessee must not drill any well within 200 feet of any of the outer boundaries of the leased lands except where necessary to protect those lands against wells on land the title to which is not held by the lessor, and then only on consent first had in writing from the supervisor. The lessee must not drill any well within 200 feet of the boundary of any legal subdivision without first submitting adequate reasons therefor and obtaining consent in writing from the supervisor, such consent to be subject to such conditions as may be prescribed by said official.

Lessees of Indian lands must not drill any well within 200 feet of any house or barn standing on the leased lands at the date of issuance of the lease without the lessor's written consent, approved by the officer in charge and the superintendent.

(d) The lessee shall submit before commencing any operations an adequate well-spacing and well-casing program. Such program must be approved by the supervisor and may be modified from time to time as conditions warrant, with the consent and approval of the supervisor.

The lessee shall not begin to drill, redrill, deepen, plug back, shoot, or plug and abandon any well, make water shut-off or formation test, alter the casing, stimulate production by vacuum, acid, gas, air, or water injection, change the method of recovering production, or use any formation or well for gas storage or water disposal without first notifying the supervisor or the supervisor's representative of his plan or intention and receiving approval prior to commencing the contemplated work.

The lessee shall drill diligently and produce continuously from such wells as are necessary to protect the lessor from loss of royalty by reason of drainage, or, in lieu thereof, with the consent of the supervisor, he must pay a sum estimated to reimburse the lessor for such loss of royalty, the sum to be fixed monthly by the supervisor.

The lessee or his agent or operator, when and as required by the supervisor or his representative, shall submit a copy of the daily drilling report.

The lessee, whenever drilling or producing operations are suspended for 24 hours or more, shall close the mouth of the well with a suitable plug or other fittings acceptable to the supervisor.

(e) The lessee shall mark each and every derrick or well in a conspicuous place with his name or the name of the operator, the serial number of the lease or the name of the lessor if on Indian land, and the number and location of the well, and shall take all necessary means and precautions to preserve these markings; and on public lands he shall place at all corners of the leased land substantial monuments appropriately marked so that the boundaries can be readily traced on the ground. When required by the supervisor or his representative, an abandoned well shall be marked with a permanent monument, on which shall be shown the number and location of the well. This monument shall consist of a piece of pipe not less than 4 inches in diameter and not less than 10 feet in length, of which 4 feet shall be above the ground level, the remainder being embedded in cement. The top of the pipe must be closed with a screw cap or cement plug.

(f) The lessee shall keep on the leased lands or at his headquarters in the field accurate records of the drilling, redrilling, deepening, plugging, or abandoning of all wells and of all alterations to casing, the records to show all the formations penetrated, the content and character of oil, gas, or water in each formation, and the kind, weight, size, and landed depth of casing used in drilling each well on the leased lands.

He shall take such samples and make such tests and surveys as may be required by the supervisor with a view to determining conditions in the well and obtaining information concerning materials (formations) encountered and shall furnish such characteristic samples of each formation penetrated or substance encountered as may be requested by the supervisor or his representative.

Within 15 days after the completion of any well and within 15 days after the completion of any further operations on it, the lessee shall transmit to the supervisor or his local representative copies of these records on forms (see section 5 of these regulations) furnished by the supervisor.

The lessee shall also submit such other reports and records of operations as may be required and in the manner and form prescribed by the supervisor.

Upon request and in the manner and form prescribed by the supervisor the lessee shall furnish a plat showing the location, designation, and status of all wells on the leased lands, together with such other pertinent information as the supervisor may require.

(g) When drilling in "wildcat" territory or in a gas or oil field where high pressures are likely to exist, the lessee shall take all necessary precautions for keeping the well under control at all times and shall provide at the time the well is started the proper high-pressure fittings and equipment; under such conditions the conductor string of casing must be cemented to the surface and all strings of casing must be securely anchored.

(h) When drilling with cable tools, the lessee shall provide at least one properly prepared slush pit, into which must be deposited mud and cuttings from clay or shale free of sand that will be suitable for the mudding of a well. When necessary or required, the lessee shall provide a second pit for sand pumpings and other materials obtained from the well during the process of drilling that are not suitable for mudding.

(i) When drilling with rotary tools, the lessee shall provide, when required by the supervisor or his representative,

an auxiliary mud pit of suitable capacity and maintain therein a supply of extra heavy mud for emergency use in case of blowouts or lost circulation.

(j) The lessee shall drill substantially vertical wells, material deviation from the vertical being permitted only on written approval of the supervisor and where interests in other properties will not be unfairly affected.

(k) By approved methods, the lessee shall shut off and exclude all water from any oil- or gas-bearing stratum to the satisfaction of the supervisor, and to determine the effectiveness of such operations he shall make a casing and a water shut-off test before suspending drilling operations or drilling into the oil or gas sand and completing the well.

The lessee shall test for commercial productivity all formations that give evidence of carrying oil or gas, the test to be made to the satisfaction of and in a manner approved in advance by the supervisor or his representative. Unless otherwise specifically approved by the supervisor or his representative, formation tests shall be made at the time the formations are penetrated and in the absence of excessive back pressure from a column of water or mud fluid.

(l) The lessee shall not deepen an oil or gas well for the purpose of producing oil or gas from a lower stratum until all upper productive strata are protected to the satisfaction of the supervisor.

(m) The lessee shall prevent any oil or gas well from blowing open and shall take immediate steps and exercise due diligence to bring under control any "wild" or burning oil or gas well or any water well.

(n) The lessee shall complete and maintain his wells in such mechanical condition and operate them in such manner as to prevent, as far as possible, the formation of emulsion, or so-called B. S., and the infiltration of water. If the formation of emulsion, or B. S., or the infiltration of water cannot be prevented or if all or any part of the product is unmarketable by reason thereof or on account of any impurity or foreign substance, the lessee shall put such unmarketable products into marketable condition, if commercially feasible. It is an obligation of the lessee to put into marketable condition all products produced from the leased land and pay royalty thereon, without recourse to the lessor for deductions on account of costs of treatment or of costs of shipping. To avoid excessive losses from evaporation while breaking down emulsions, emulsified oil shall not be heated to temperatures above the minimum required to put the oil into marketable condition. If excessive temperatures are required to break down an emulsion, then other means of dehydration must be utilized. Under such circumstances the supervisor or his representative must be consulted.

(o) B. S. and salt water from tanks or wells shall not be allowed to pollute streams or damage the surface or pollute the underground water of the leased or adjoining land. If the B. S. cannot be treated or burned or if the volume of salt water is too great for disposal by usual methods without damage, the supervisor or his representative must be consulted, and the B. S. or salt water disposed of by some method approved by him.

(p) All production run from leased lands shall be gaged or measured according to methods approved by the supervisor or his representative. The lessee shall provide tanks suitable for containing and measuring accurately all crude oil produced from the wells and shall furnish to the supervisor or his representative at least two acceptable copies of all tank tables. Meters for measuring oil must be first approved by the supervisor and tests of their accuracy shall be made when directed by that official. The lessee shall not, except during an emergency and except by special permission of the supervisor or his representative, confirmed in writing, permit oil to be stored or retained in earthen reservoirs or in any other receptacle in which there may be undue waste of oil.

(q) The lessee shall promptly plug and abandon or condition as a water well any well on the leased land that is not used or useful for the purposes of the lease, but no productive well shall be abandoned until its lack of capacity for further profitable production of oil or gas has been demonstrated to the satisfaction of the supervisor. Before abandoning a well

the lessee shall submit to the supervisor or his representative a statement of reasons for abandonment and his detailed plans for carrying on the necessary work, together with duplicate copies of the log, if it has not already been submitted. A well may be abandoned only after receipt of written approval by the supervisor or his representative, in which the manner and method of abandonment shall be approved or prescribed.

(r) The lessee shall prevent the waste or wasteful utilization of gas and shall pay the lessor the full value of all gas wasted by blowing, release, escape, or otherwise, at a price not less than 5 cents for each 1,000 cubic feet, unless such waste of gas under the particular circumstances involved shall be determined by the Secretary of the Interior to be sanctioned by laws of the United States and of the State in which it occurs. The production of oil and gas shall be restricted to such amount as can be put to beneficial use with adequate realization of values, and in order to avoid excessive production of either oil or gas, when required by the Secretary of the department having jurisdiction over the leasehold, shall be limited by the market demand for gas or by the market demand for oil.

(s) The lessee shall take all reasonable precautions to prevent accidents and fires, shall notify the supervisor or his representative within 24 hours of all accidents or fires on the leased land, and shall submit a full report thereon within 15 days.

(t) The lessee shall file with the supervisor or his representative triplicate (quadruplicate for production of naval petroleum reserves) signed copies of all contracts for the disposition of all products of the leased land except that portion used for purposes of production on the leased land or unavoidably lost, and he shall not sell or otherwise dispose of said products except in accordance with a sales contract, division order, or other arrangement first approved.

(u) The lessee desiring relief from any operating or royalty requirement under a lease shall file, in triplicate (quintuplet for applications on naval petroleum reserve leases), with the supervisor or his representative an application therefor, including therein a full statement of the circumstances that render relief necessary or proper.

(v) The lessee shall tender all payment of rental and royalty (unless the lessor elects to take royalty in kind) by check or draft on a solvent bank, open for the transaction of business on the day the check or draft is issued, or by money order drawn to the order of the appropriate receiving officer. Payments shall be transmitted through the oil and gas supervisor, shall be accompanied by a statement by the lessee, in duplicate, showing the specific items of rental or royalty that the remittance is intended to cover, and shall be made at such time or times as the lease provides.

If the lessor elects to take royalty on production in kind, such royalty in kind shall be delivered on the leasehold by the lessee to the order of and without cost to the lessor. Upon the lessor's request, storage, free of charge for 30 days after the end of the calendar month in which the royalty accrues, shall be furnished for royalty oil taken in kind. Storage shall be provided on the leased lands or at a place mutually agreed upon by the supervisor or his representative and the lessee.

(w) Lessees of Indian land shall not use any timber from the land except under written agreement with the owner, such agreement to be subject to the prior approval of the superintendent of the Indian agency having jurisdiction. On demand of the supervisor, pipe lines on Indian land shall be buried below plow depth.

(x) Lessees of Indian land shall pay to the superintendent through the oil and gas supervisor, for the account of the lessor, all fines assessed under the provisions of section 4 of these regulations and shall pay direct to the superintendent the assessed value of all damage to lands, crops, buildings, and other improvements of the lessor occasioned by the lessee's operations. The amount of damage will be assessed by the superintendent.

SECTION 3. Measurement of Production and Computation of Royalties—(a) Measurement of oil.—The volume of pro-

duction shall be computed in terms of barrels of clean oil of 42 standard United States gallons of 231 cubic inches each, on the basis of meter measurements (meter must be approved by supervisor) or tank measurements of oil-level difference, made and recorded to the nearest quarter inch of 100 percent capacity tables, and of the following corrections:

(1) The percentage of impurities (water, sand, and other foreign substances not constituting a natural component part of the oil) shall be determined to the satisfaction of the supervisor, and the observed volume of oil shall be corrected to exclude the entire volume of such impurities.

(2) The observed volume of oil shall be corrected to the actual volume at 60° F. in accordance with table 2 of Circular 154 of the National Bureau of Standards (May 29, 1924) or any revisions thereof and any supplements thereto, provided that the supervisor in his discretion may authorize computation of correction for temperature in terms of 1 percent for a specified number of degrees if closely approximating the computation in accordance with Circular 154 of the Bureau of Standards or its supplements.

(3) The gravity of the oil shall be determined in accordance with table 3 of Circular 154 of the National Bureau of Standards (May 29, 1924) or any revisions thereof and any supplements thereto.

(4) For the convenience of the lessor and lessee, monthly statements of production and royalty shall be based in general on production recorded in pipe-line runs or other shipments. When shipments are infrequent or do not approximate actual production, the supervisor may require statements of production and royalty to be made on such other basis as he may prescribe, gains or losses in volume of storage being taken into account when appropriate. Evidence of all shipments of oil shall be furnished by pipe-line or other run tickets signed by representatives of the lessee and of the purchaser who have witnessed the measurements reported and the determinations of gravity, temperature, and the percentage of impurities contained in the oil. Run tickets shall be filed with the supervisor or his representative within 5 days after the oil has been run.

(b) *Measurement of gas.*—The term "gas", as used in these regulations, shall be interpreted to mean any gas released by or produced from a well.

Gas of all kinds (except gas used for purposes of production on the leasehold or unavoidably lost) is subject to royalty, and all gas shall be measured by meter (preferably of the orifice-meter type) unless otherwise agreed to by the supervisor. All meters must be approved by the supervisor or his representative and installed at the expense of the lessee at such places as may be agreed to by the supervisor or his representative. For computing the volume of all gas produced, sold, or subject to royalty, the standard of pressure shall be 10 ounces above an atmospheric pressure of 14.4 pounds to the square inch, regardless of the atmospheric pressure at the point of measurement, and the standard of temperature shall be 60° F. All measurements of gas shall be adjusted by computation to these standards, regardless of the pressure and temperature at which the gas was actually measured, unless otherwise authorized in writing by the supervisor. In fields at high altitudes the absolute pressure of the flowing gas may be taken as the gage pressure plus the actual average atmospheric pressure existing at the points of measurement, in order to reduce equitably the quantity of gas to the Government standard of 10 ounces above an atmospheric pressure of 14.4 pounds to the square inch.

(c) *Determination of natural-gasoline content.*—Tests to determine the gasoline content of gas delivered to plants manufacturing gasoline are required to check plant efficiency and to obtain an equitable basis for allocating the gasoline output of any plant to the several sources from which the gas treated is derived. The gasoline content of the gas delivered to each gasoline plant treating gas from leased lands shall be determined periodically by field tests as required by the supervisor, to be made at the place and by methods approved by him and under his supervision.

(d) *Quantity basis for computing natural gasoline royalty.*—The primary quantity basis for computing monthly royalties on casing-head or natural gasoline is the monthly net output of the plant at which the gasoline is manufactured, "net output" being defined as the quantity of natural gasoline that the plant produces for sale.

If the net output of a plant is derived from the gas obtained from only one leasehold, the quantity of gasoline on which computations of royalty for the lease are based is the net output of the plant.

If the net output of a plant is derived from gas obtained from several leaseholds producing gas of uniform gasoline content, the proportion of net output allocable to each lease as a basis for computing royalty will be determined by dividing the amount of gas delivered to the plant from each leasehold by the total amount of gas delivered to the plant from all leaseholds.

If the net output of a plant is derived from gas obtained from several leaseholds producing gas of diverse gasoline content, the proportion of net output allocable to each leasehold as a basis for computing royalty will be determined by multiplying the amount of gas delivered to the plant from the leasehold by the gasoline content of the gas and dividing the arithmetical product thus obtained by the sum of the arithmetical products similarly obtained for all separate leaseholds.

The supervisor is authorized, whenever in his judgment the method prescribed in the last preceding paragraph is impracticable, to estimate the production of natural gasoline from any leasehold from (1) the quantity of gas produced from the leasehold and transmitted to the gasoline-extraction plant, (2) the gasoline content of such gas as determined by test, and (3) a factor based on plant efficiency and so determined as to insure full protection of the royalty interest of the lessor.

(e) *Price basis for computing royalties.*—The value of production, for the purpose of computing royalty, in the discretion of the Secretary of the department having jurisdiction over the leasehold, may be calculated on the basis of the highest price per barrel, thousand cubic feet, or gallon, paid or offered (whether such price is established on the bases prescribed in these regulations or otherwise) at the time of production in a fair and open market for the major portion of like-quality oil, gas, natural or casing-head gasoline, propane, butane, and all other hydrocarbon substances produced and sold from the field where the leased lands are situated; but under no conditions shall the value of any of said substances for the purpose of computing royalty be deemed to be less than the gross proceeds accruing to the lessee from the sale thereof or less than such reasonable minimum price as shall be determined by said Secretary.

(f) *Royalty rates on oil.*—

(1) *Flat-rate leases.*—The royalty on crude oil shall be the percentage (established by the terms of the lease) of the value or amount of the crude oil produced from the leased lands.

(2) *Sliding- and step-scale rates (Public Lands Only).*—The sliding- and step-scale royalties for some Government leases are based on the average daily production per well. Such leases provide that only wells which yield a commercial volume of production during at least part of the month shall be considered in ascertaining the average production per well per day and that the Secretary of the Interior shall determine what are commercially productive wells. Ordinarily the average daily production per well for a lease is computed on the basis of a 28-, 29-, 30-, or 31-day month (as the case may be) and the number of wells on the leasehold counted as producing. (Tables for computing royalty on the sliding-scale basis may be obtained upon application to the supervisor or his representative.) The supervisor will determine which commercially productive wells shall be considered each month as producing wells for the purpose of computing royalty in accordance with the following rules:

Case 1.—For a previously producing leasehold, count as producing for every day of the month each previously producing

well that produced 15 days or more during the month, and disregard wells that produced less than 15 days during the month. Wells approved by the supervisor as input wells shall be counted as producing wells for the entire month if used 15 days or more during the month and shall be disregarded if used less than 15 days during the month.

Case 2.—When the initial production of a leasehold is made during the calendar month, compute royalty on the basis of producing well-days.

Case 3.—When a new well or wells are brought in on a previously producing leasehold and produce for 10 days or more during the calendar month in which they are brought in, count such new well or wells as producing every day of the month, in arriving at the number of producing well-days. Do not count new well or wells that produce for less than 10 days during the calendar month.

Case 4.—Consider "head wells" that make their best production by intermittent pumping or flowing as producing every day of the month, provided they are regularly operated in this manner.

Case 5.—For previously producing leaseholds on which no wells produced for 15 days or more, compute royalty on a basis of actual producing well-days.

Case 6.—For previously producing leaseholds on which no wells were producing during the calendar month but from which oil was shipped, compute royalty at the same royalty percentage as that of the last preceding calendar month in which production and shipments were normal.

Special conditions not subject to definition, such as those arising from averaging the production from two distinct sands or horizons when the production of one sand or horizon is relatively insignificant compared to that of the other, shall be submitted to the supervisor.

In the following summary of operations on a typical leasehold for the month of June, the wells considered for the purpose of computing royalty on the entire production of the property for the month are indicated:

Well No.	Record	Count (marked X)
1	Produced full time for 30 days.....	X
2	Produced for 28 days; down 4 days for repairs.....	X
3	Produced for 28 days; down June 5, 12 hours; rods; June 14, 6 hours; engine down; June 25, 24 hours; June 23, 24 hours, pulling rods and tubing.....	X
4	Produced for 12 days; down June 13 to 30.....	
5	Produced for 8 hours every other day (head well).....	X
6	Idle producer (not operated).....	
7	New well, completed June 17; produced for 14 days.....	X

In this example there are seven wells on the leasehold, but wells 4 and 6 are not counted in computing royalties. Wells 1, 2, 3, 5, and 7 are counted as producing for 30 days. The applicable royalty rate, based on the average production per well per day, is determined by dividing the total production of the leasehold for the month (including the oil produced by well 4), by 5, the number of wells counted as producing.

(g) **Royalty on gas.**—The royalty on gas, whether casing-head or natural gasoline has been extracted or not, shall be a percentage (established by the terms of the lease) of the value of the gas. See subdivision (e) of this section.

Royalty accrues on dry gas, whether produced as such or as residue gas after the extraction of gasoline.

For the purpose of computing royalty the value of wet gas shall be either the gross proceeds accruing to the lessee from the sale thereof or the aggregate value determined by the Secretary of the department having jurisdiction of all commodities, including residue gas, obtained therefrom, whichever is greater.

(h) **Royalty on casing-head or natural gasoline.**—A royalty as provided in the lease shall be paid on the value of one-third (or the lessee's portion if greater than one-third) of all casing-head or natural gasoline extracted from the gas produced from the leasehold. The value of the remainder is an allowance for the cost of manufacture, and no royalty thereon is required. The value shall be so determined that the minimum royalty accruing to the lessor shall be

the percentage established by the lease of the amount or value of all casing-head or natural gasoline accruing to the lessee under an arrangement, by contract or otherwise, for extraction and sale that has been approved by the supervisor.

If the lessee derives revenue on gas from two or more sources, from natural gasoline and dry (residual) gas, or from other hydrocarbon substances sold, a royalty will normally be collected on all the products. Therefore, if there is a market for the dry residual gas from the natural-gasoline plant, a royalty on this dry gas must be paid in conformity with subdivisions (e) and (g) of this section.

The present policy is to allow the use of a reasonable amount of dry gas for operation of the gasoline plant, the amount allowed being determined or approved by the supervisor.

(i) **Royalty on drip gasoline or other condensate, butane, propane, etc.**—The royalty on all drip gasoline or other natural condensate recovered from gas produced on the leased lands shall be the same percentage as provided in the lease for other crude oil. The royalty on butane, propane, and other substances not specifically provided for in these regulations shall be computed in accordance with a method approved by the supervisor.

PENALTIES

SECTION 4. The supervisor has authority to shut down any operation and place under seal any property or equipment in order to insure compliance with his orders and to enter upon the leased premises and perform at the expense of the lessee any required operation that the lessee fails to perform. The general penalties for failure to comply with the applicable law, regulations, and lease terms are cancellation of the lease and forfeiture under the bond.

The following specific fines are applicable only to leases for Indian lands, and in case of repeated violations of the regulations or disregard of notice from the officer in charge, the lease shall be subject to cancellation, and the lessee shall still be held liable for the payment of any fines assessed under these regulations, in the discretion of the Secretary of the Interior; *Provided*, That the lessee shall be entitled to notice and hearing with respect to the terms of the lease or of the regulations violated. This hearing shall be held by the officer in charge, whose finding shall be conclusive unless an appeal is taken to the Secretary of the Interior within 30 days after notice of the decision. The finding of the Secretary of the Interior upon appeal shall be conclusive.

Fines that may be imposed for violations of certain provisions of these regulations applicable to oil and gas operations on restricted Indian lands.—A. For failure to file preliminary notice of intention to drill, \$10 for the first violation and \$20 for each violation thereafter (section 2 (d)).

B. For failure to file notice and to obtain approval before redrilling, deepening, plugging, or abandoning any well, \$100 for the first violation and \$200 for each subsequent violation (section 2 (d)).

C. For failure to mark derricks or wells, \$20 for each well or derrick and, after written notification, \$10 for each week for each well or derrick (section 2 (e)).

D. For failure to file completion reports, \$50 for the first violation and \$100 for each subsequent violation (section 2 (f)).

E. For failure to install required high-pressure fittings and equipment, cement conductor string, and anchor properly all strings of casing, \$100 for each well; and after 10 days' written notice an additional fine of \$200 may be assessed, and thereafter an additional sum of \$200 for each 20 days until the condition is remedied (section 2 (g)).

F. For failure to construct and maintain in proper condition slush or mud pits, \$10 for each day after drilling is so commenced on any well (sections 2 (h) and (i)).

G. For allowing pollution of streams or subsurface water or damage to the surface by B. S. and salt water, \$50 per day after 10 days' notice by an authorized representative of the Department (section 2 (o)).

Payment of any of the fines set forth above shall not relieve the operator from compliance with the provisions of

the operating regulations. A waiver of any particular cause for fines shall not be construed as precluding the imposition of a fine for any other cause or for the same cause occurring at any other time.

Fines shall be imposed by the supervisor and shall be paid to the superintendent through the supervisor for credit to the lessor.

SECTION 5. Reports to be Made by All Lessees (Including Permittees) or Their Authorized Agents.—Certain information is essential to the proper handling of properties and for proper protection of the public interest. Sample forms showing the type of information required are described in this section, and blank copies of these forms can be obtained from the supervisor or his representatives. These forms, unless others are specified by the supervisor, must be filled out completely and filed punctually with the supervisor or his local representative. Failure of the lessee to submit the information and reports required herein constitutes noncompliance with the terms of these regulations and is cause for cancellation of the lease.

Sundry Notices and Reports on Wells (Form 9-331A).—Form 9-331A covers all notices and all reports pertaining to individual wells except those for which special blanks are provided. This form may be used for any of the purposes listed thereon, or a special heading may be inserted in the blank to adapt it for use for similar purposes. Any written notice of intention to do work or to change plans previously approved must be filed in triplicate unless otherwise directed and must reach the supervisor or his representative and receive his approval before the work is begun. The lessee is responsible for receipt of the notice by the supervisor or his representative in ample time for proper consideration and action. If in case of emergency any notice is given orally or by wire, and approval is obtained, the transaction shall be confirmed in writing as a matter of record. The examples following illustrate some of the uses to which form 9-331A may be put and indicate the requirements with respect to each use.

Notice of Intention to Drill (Form 9-331A).—The notice of intention to drill a well must be filed in triplicate with the supervisor or his local representative and approval received before the work is begun. This notice must give the location, in feet and direction, from the nearest lines of established public survey; the altitude of the derrick floor above sea level and how obtained; the geologic name of the surface formation; and estimate of the depth at which and the stratum or formation in which oil or gas is expected to occur; the approximate depths at which specified strings of casing will be set and cemented and the weight and sizes of casing proposed to be cemented at these depths; and a statement of any proposed cementing, mudding, or other special work.

Notice of Intention to Change Plans (Form 9-331A).—Where unexpected conditions necessitate any change in the plans of proposed work already approved in connection with either the drilling or the repair of wells, complete details of the changes must be submitted in triplicate to the supervisor or his representative on this form and approval obtained before the work is undertaken.

Notice of Date for Casing and Water Shut-off Test (form 9-331A).—The exclusion of water from oil- or gas-bearing formations is an important item of conservation, and the supervisor or his local representative will witness all casing and water shut-off tests. Notice on form 9-331A must be filed in triplicate with the supervisor or his local representative in advance of the date on which the lessee expects to make such test. Later by agreement the exact time shall be fixed. The casing test and the test of water shut-off must be approved by the supervisor or his representative before further drilling can proceed. In the event of failure, casing must be repaired or replaced or recemented, whichever the conditions may require.

Notice of Intention to Redrill, Repair, or Condition Well (form 9-331A).—Before repairing, deepening, or conditioning a well, a detailed written statement of the plan of work must be filed in triplicate with the supervisor or his local representative and approval obtained before the work is started.

In work that affects only rods, pumps, or tubing, or other routine work, such as cleaning out to previous total depth, no report is necessary unless specifically required by the supervisor or his representative.

Notice of Intention to Use Explosive or Chemicals (Form 9-331A).—Before using explosive or chemicals (shooting or acidizing) in any well, whether for increasing production or in drilling, repair, or abandonment, notice of intention shall be filed in triplicate with the supervisor or his local representative and approval obtained before the work is done. When such notice of intention forms a part of a notice of intention to redrill, repair, or abandon a well, the supervisor or his representative may accept such notice in lieu of a separate notice of intention to use explosive or chemicals.

The notice of intention to use explosive or chemicals (form 9-331A) must be accompanied by the complete log of the well to date, provided the complete log has not previously been filed, and must state the object of the work to be done, the amount and nature of the material to be used, its exact location and distribution in the well (by depths), the method of localizing its effects, and the name of the company that is to do the work. The notice shall also contain an accurate statement of the dates and daily production of oil, gas, and water from the well for each of the last preceding 10 producing days.

Subsequent Record of Use of Explosive or Chemicals (Form 9-331A).—After using explosive or chemicals in any well a subsequent record must be filed in triplicate with the supervisor or his local representative. This record shall be filed separately on form 9-331A within 15 days after the work is done, except where such record is included in the log (form 9-330) or is a part of a record of other subsequent work done (form 9-331A) or is a part of an abandonment record filed within that period.

The subsequent record of use of explosive or chemicals shall include a statement of the amount and the nature of the material used, its exact location and distribution in the well (by depths), and the method used to localize its effects. The record shall also contain an accurate statement of the dates and daily production of oil, gas, and water for each of the last 10 producing days preceding the use of explosive or chemicals and a similar statement of production after the work is done. In addition, this report must include other pertinent information, such as the depth to which the well was cleaned out, the time spent in bailing and cleaning out, and any injuries to the casing or well.

Record of Perforating Casing (Form 9-331A).—Usually a statement covering the details of perforated casing in a well is made on the log form. When perforations are made after the log has been submitted, a report of the work must be made in triplicate (form 9-331A) to the supervisor or his local representative. Prior notice need not be given for such work, except that if it is intended to perforate casing that has excluded water from the well, a notice in triplicate of intention to perforate and approval of the supervisor or his local representative are necessary before the work is begun.

Notice of Intention to Pull or Otherwise Alter Casing (Form 9-331A).—If it is desired to pull a portion or all of a string of casing, or to rip, perforate, or otherwise alter casing that has excluded water from a well, a notice (form 9-331A) of such work must be given in triplicate and the approval of the supervisor or his local representative obtained before the work is started.

Notice of Intention to Abandon Well (Form 9-331A).—Before beginning abandonment work on any well, whether drilling well, oil or gas well, water well, or so-called dry hole, notice of intention to abandon shall be filed in triplicate on form 9-331A with the supervisor or his local representative and approval obtained before the work is started.

The notice of intention to abandon must show the reason for abandonment and must be accompanied by a complete log, in duplicate, of the well to date, provided the complete log has not been filed previously, and must give a detailed statement of the proposed work, including such information as kind, location, and length of plugs (by depths) and plans for mudding, cementing, shooting, testing, and removing casing, as well as any other pertinent information.

Subsequent Report of Abandonment (Form 9-331A).—After a well is abandoned or plugged a subsequent record of work done must be filed in triplicate with the supervisor or his local representative. This record shall be filed separately (on form 9-331A) within 15 days after the work is done.

The subsequent report of abandonment shall give a detailed account of the manner in which the abandonment or plugging work was carried out, including the nature and quantities of materials used in plugging and the location and extent (by depths) of the plugs of different materials; records of any tests or measurements made and of the amount, size, and location (by depths) of casing left in the well; and a detailed statement of the volume of mud fluid used, the pressure attained in mudding, and the names and positions of employees who carried on the work. If an attempt was made to part any casing, a complete report of the methods used and results obtained must be included.

Supplementary Well History (Form 9-331A).—A report of all work done on any well since the filing of the log form (form 9-330) or the last report covering work on the well must be filed in triplicate with the supervisor or his local representative on form 9-331A within 15 days after completion of the particular work, or before, if called for by the supervisor or his representative.

Log and History of Well (Form 9-330).—The lessee shall furnish in duplicate, on form 9-330, to the supervisor or his representative, not later than 15 days after the completion of each well, a complete and accurate log and history, in chronologic order, of all operations conducted on the well. If a log is compiled for geologic information from cores or formation samples, duplicate copies of such log shall be filed in addition to the regular log.

The lessee shall require the drillers, whether using company labor or contract labor, to record accurately the depth, character, fluid content, and fluid levels, where possible, of each formation as it is penetrated, together with all other pertinent information obtained in drilling the well. The practice of compiling well logs from memory, after the work has been completed, will not be permitted.

Lessee's Monthly Report of Operations (Form 9-329).—A separate report of operations for each lease must be made for each calendar month, beginning with the month in which drilling operations are initiated, and must be filed in duplicate with the supervisor or his local representative on or before the 6th day of the succeeding month, unless an extension of time for the filing of such report is granted by the supervisor or his representative. The report on this form constitutes a general summary of the status of operations on the leased lands and, whatever such status may be, the report must be submitted each month until the lease is terminated or until omission of the report is authorized by the supervisor or his representative.

In order that the supervisor or his representative may obtain from this form the desired information, it is particularly necessary that for each calendar month—

(1) The lease be identified by inserting the name of the United States land office and the serial number, or in the case of Indian lands the lease number and lessor's name, in the space provided in the upper right corner;

(2) Each well be listed separately by number, its location be given by 40-acre subdivision ($\frac{1}{4}$ $\frac{1}{4}$ sec. or lot), section number, township, and range;

(3) The number of days each well produced, whether oil or gas, and the number of days each input well was in operation be stated.

(4) The proper columns show the quantity of oil, gas, and water produced and the total amount of gasoline recovered (total sales as distinguished from the total production here required should be shown in the footnote);

(5) The "Remarks" column show the name, character, and depth of each formation in wells being drilled (active or suspended), the date such depth was reached, the date and reason for every shut-down, the names and depths of important formation changes and contents of formations, the amount and size of any casing run since last report, the dates and results of any tests such as production, water shut-off, or gasoline content, and any other noteworthy

information on operations not specifically provided for in the form.

It is intended that this form shall be a report of all operations conducted on each well during the month and that it shall show status of operations in progress on the last day of the month.

The information required in the footnote must be given in barrels of oil, thousands of cubic feet of gas, and gallons of gasoline. If no runs or sales were made during the calendar month, the report must so state.

When oil and gas, or oil, gas, and gasoline, are concurrently produced from the same lease, separate reports on this form should be submitted for oil and for gas and gasoline, unless otherwise authorized or directed by the supervisor.

The lessee must report accurately the status of all wells on the leased lands.

Daily Report of Gas-Producing Wells (Form 9-352).—Unless otherwise directed by the supervisor or his representative, the readings of all meters showing production of natural gas from leased lands shall be submitted daily on form 9-352, together with the meter charts. After a check has been had the meter charts will be returned.

Lessee's Statement of Oil and Gas Runs and Royalties (Form 9-361).—When directed by the supervisor or his representative, a monthly report shall be made by the lessee in duplicate, on form 9-361, showing each run of oil and all sales of gas and gasoline and other hydrocarbons and the royalty accruing therefrom to the lessor. When use of this form is required it must be completely filled out and sworn to.

Royalty and Rental Remittance Form (Form 9-614).—This form shall be submitted to the supervisor in duplicate and shall accompany each remittance covering payments of royalty or rental and shall show the specific items being paid.

Special Forms.—Because of the special conditions in certain localities, special forms other than those referred to in these regulations, such as run or sales statements, may be necessary. Instructions for the filing of such forms will be given by the supervisor or his representative.

APPEALS

SECTION 6. The lessee, after complying with any order intended to carry out the terms and spirit of these regulations, shall have the right to appeal therefrom to the Secretary of the Department having jurisdiction over the lands of the leasehold. Such appeal must be filed by the lessee with the official from whose order appeal is made, within 30 days after the order has been served.

These regulations shall supersede all prior operating regulations applicable to oil and gas lands of the United States or to restricted Indian lands. They shall be administered under the Director of the United States Geological Survey, except that as to lands within naval petroleum reserves they shall be administered under such official as the Secretary of the Navy shall designate.

Recommended for approval,

W. C. MEYERHALL,
Director of Geological Survey.

To become effective the 1st day of November 1936.

Approved, October 30, 1936.

HAROLD L. ICKES,
Secretary of the Interior.

Approved, November 7, 1936.

CLAUDE A. SWANSON,
Secretary of the Navy.

[F. R. Doc. 3429—Filed, November 18, 1936; 10:00 a. m.]

DEPARTMENT OF AGRICULTURE.

Commodity Exchange Administration.

ORDER PROMULGATING RULES OF PRACTICE TO GOVERN PROCEEDINGS UNDER THE COMMODITY EXCHANGE ACT

The undersigned, the Secretary of Agriculture, the Secretary of Commerce, and the Attorney General, constituting the

Commodity Exchange Commission, and the Secretary of Agriculture acting alone with respect to those matters that are within his sole jurisdiction, do hereby promulgate the following rules of practice to govern proceedings arising under the Commodity Exchange Act:

1. Any complaint issued under subdivision (a) of section 6, subdivision (b) of section 6, or section 6b of the act or filed under subdivision (1) of section 6a of the act shall state, briefly and clearly, the facts complained of. A person against whom a complaint is issued or filed shall be designated as the respondent. Any complaint issued under subdivision (a) of section 6, subdivision (b) of section 6, or section 6b shall contain or be accompanied by an order directing the respondent to appear before the commission or the Secretary of Agriculture, as the case may be, or before a referee to be designated by the Secretary of Agriculture, at a time and place which shall be fixed by the Secretary of Agriculture in the order or subsequently, and to show cause why such order as may be authorized by the statute should not be entered against the respondent.

2. The complaint shall be assigned a docket or file number and the proceedings had thereunder shall thereafter be referred to by such number.

3. The complaint shall be served upon the respondent by an employee of the Department of Agriculture or by registered mail, return receipt requested. When personal service is attempted upon the respondent, such service shall be deemed sufficient if a copy of the complaint is placed in the hands of the respondent or a copy of the complaint is left with any agent or employee of respondent at respondent's regular place of business or a copy of the complaint is left with any agent, employee, or member of respondent's family at respondent's residence. If the respondent is a board of trade, association, or corporation, service shall be had upon the president, secretary, treasurer, or statutory agent of the board, association, or corporation in the manner herein described.

4. Any complaint by a board of trade seeking to exclude a cooperative association or corporation from membership in or privileges on such board of trade pursuant to the provisions of subdivision (1) of section 6a of the act shall be filed in quadruplicate with the Secretary of Agriculture. The Secretary of Agriculture shall transmit copies of the complaint to the Attorney General and the Secretary of Commerce and shall serve a copy upon the corporation or association against which the complaint is filed, as provided in paragraph 3.

If the association or corporation wishes to deny or explain any of the allegations contained in the complaint, it may file with the Secretary of Agriculture, within 10 days after the receipt of the complaint, an answer in quadruplicate, the original being signed by the president, secretary, treasurer, or attorney of the respondent. The answer shall be so drawn as fully and completely to state the nature of the defense and shall admit or deny specifically and in detail each material and relevant allegation of the complaint. Copies of the answer shall be forwarded by the Secretary of Agriculture to the Attorney General and the Secretary of Commerce and to the complainant.

The Secretary of Agriculture shall set a time and place for a hearing upon any complaint filed with the Secretary pursuant to subdivision (1) of section 6a of the act.

5. The Secretary of Agriculture may designate an employee of the Department of Agriculture as referee to conduct any hearing held under the act. In the case of proceedings under subdivision (a) of section 6, subdivision (1) of section 6a, or section 6b of the act, the designation of the referee shall be made by the Secretary of Agriculture for and on behalf of the commission.

The referee may, in accordance with the rules of evidence applicable to administrative proceedings, admit or exclude any evidence presented and may limit the scope of any evidence admitted.

Parties may appear in person or by counsel. No person other than a party to the proceeding or his counsel shall par-

ticipate in any proceeding until the officer conducting the proceeding has determined that such person has a substantial interest therein and has ordered that such person's appearance be entered in the record. All persons who appear at the hearing must conform to the standards of ethical conduct required of practitioners before the courts of the United States. The party instituting a proceeding shall proceed first at the hearing.

The testimony of the witnesses at the hearing shall be upon oath or affirmation administered by the referee.

Copies of the records of any of the executive departments or independent establishments of the United States Government, certified under the seal of such department or establishment, shall be admissible to the same extent that the original records would be admissible.

The deposition of any witness, taken after reasonable notice to the opposite party and at a time and place and before a person designated for the purpose by the Secretary of Agriculture, shall be admitted if the evidence is otherwise admissible.

Affidavits, if relevant and material, may, in the discretion of the referee, be admitted, but the Secretary of Agriculture or the commission, as the case may be, will consider the lack of opportunity for cross-examination in determining the weight that shall be given to such evidence.

When practicable to do so, a copy of each exhibit shall be furnished to the opposing party either before or at the time of its introduction.

Judicial notice will be taken of such matters as are noticed by the courts of the United States.

If a party objects to the admission of any evidence offered against him or the rejection of any evidence offered by him or to the limitation of the scope of any evidence introduced by him, he shall state the grounds of such objection. If the objection is overruled, he may take an exception.

6. At a hearing held under subdivision (a) or (b) of section 6 or under section 6b of the act, the Department of Agriculture shall be represented by an attorney designated by the Solicitor of the Department.

7. At the conclusion of the hearing, the referee shall announce the period of time within which briefs may be filed. Parties filing briefs shall submit six copies to the Secretary of Agriculture.

8. As soon as practicable after the conclusion of any hearing before a referee, it shall be the duty of the referee to transmit to the Secretary of Agriculture, or to the Secretary of Agriculture acting on behalf of the commission, a full transcript of the record of the hearing.

9. A party desiring to make an oral argument before the Secretary of Agriculture, in the case of proceedings under subdivision (b) of section 6, or before the commission, in the case of proceedings under subdivision (a) of section 6, subdivision (1) of section 6a or section 6b of the act, shall so notify the Secretary of Agriculture prior to the final date for filing briefs.

10. In the event that a party requests an oral argument, a date for such argument shall be fixed, in the case of proceedings under subdivision (a) of section 6, subdivision (1) of section 6a, or section 6b of the act, by the commission, or, in the case of proceedings under subdivision (b) of section 6, by the Secretary of Agriculture.

11. An application for rehearing, reargument, reconsideration, or modification of a final order must be made by petition filed with the Secretary of Agriculture. In the case of proceedings under subdivision (a) of section 6, subdivision (1) of section 6a or section 6b of the act, such application shall be filed in quadruplicate. A copy of any such application filed by a party to a proceeding under subdivision (1) of section 6a shall be transmitted by the Secretary of Agriculture to the adverse party. In the event that a rehearing is granted by the Secretary of Agriculture or by the commission, as the case may be, or a hearing is ordered upon a petition for the modification of a final order, the applicable rules of procedure, as set out herein, shall be followed.

This order shall be effective on and after the 3d day of December 1936.

In testimony whereof, we have hereunto affixed our respective signatures this 18th day of November 1936.

H. A. WALLACE,
Secretary of Agriculture.
DANIEL C. ROPER,
Secretary of Commerce.
HOMER CULLINGS,
Attorney General.

[F. R. Doc. 3450—Filed, November 18, 1936; 4:32 p. m.]

INTERSTATE COMMERCE COMMISSION.

[Supplement No. 8 to Valuation Order No. 3]

RECORDING AND REPORTING OF CHANGES IN PHYSICAL PROPERTY OF COMMON CARRIERS BY PIPE LINE

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 7th day of November A. D. 1936.

Valuation Order No. 3, Second Revised Issue, provides that every common carrier subject to the Interstate Commerce Act shall record and report changes in physical property in accordance with regulations, instructions, and forms thereby prescribed; Revised Supplement No. 4 to Valuation Order No. 3, Second Revised Issue, provides a list of units for use of all such carriers in the preparation of completion reports and the record of property changes; Revised Supplement No. 5 to Valuation Order No. 3, Second Revised Issue, prescribes instructions to govern the preparation by all such carriers of reports of property changes on B. V. Forms Nos. 588-R,¹ and directs the filing of the same with the Commission within 90 days from the date prescribed by the Director, Bureau of Valuation; Valuation Order No. 3, Second Revised Issue, in Par. 23 of General Instructions, provides:

The form of the records and reports herein prescribed are those applicable to steam roads only, and the instructions governing the use of those records and reports have been expressed in terms that are likewise applicable to steam roads only. Nevertheless, the records and reports prescribed and the instructions governing them, after suitable modification to adapt them to the varying terminology and arrangement of the accounting classifications prescribed by the Commission, shall apply with equal force to all common carriers that are subject to the act to regulate commerce.

It appearing that the arrangement by accounts of the list of units prescribed by Revised Supplement No. 4 to Valuation Order No. 3, Second Revised Issue, and the instructions to govern the preparation and filing of B. V. Form 588-R prescribed by Revised Supplement No. 5 to Valuation Order No. 3, Second Revised Issue, are applicable to common carriers by rail and not appropriate for use by pipe line carriers for which the Commission has prescribed a separate and different uniform system of accounts;

Now, therefore, in order to provide appropriate instructions to govern the recording and reporting of changes in the physical property of common carriers by pipe line subject to the Interstate Commerce Act;

It is ordered, That each and every such carrier or receiver or operating trustee of any such carrier be, and is hereby, required to record such property changes subsequent to the date fixed for the basic inventory of its property, in accordance with the provisions of Valuation Order No. 3, Second Revised Issue, and the list of property units included in the detailed instructions attached hereto and made a part hereof, entitled, "Instructions to Govern the Preparation of B. V. Form No. 588-R by Pipe Line Carriers";

It is further ordered, That each and every such carrier, or receiver or operating trustee of any such carrier, shall make the reports to the Commission of property changes on B. V. Form No. 588-R required by Valuation Order No. 3, Second Revised Issue, in accordance with the aforesaid detailed instructions. Reports shall cover such period from

the date of the basic inventory, or of any previous report, as may be fixed by the Director, Bureau of Valuation, and shall be filed within 90 days from the date prescribed by him.

And, it is further ordered, That January 1, 1937, be, and the same is hereby, fixed as the date on which this order shall become effective.

By the Commission, Division 1.

[SEAL]

GEORGE B. MCGINTY, Secretary.

INSTRUCTIONS TO GOVERN THE PREPARATION OF B. V. FORM NO. 588-R BY PIPE LINE CARRIERS

PART I—GENERAL INSTRUCTIONS

1. *Form of Report.*—Upon form like B. V. Form 588-R, size 11" x 17", the carrier shall file with the Commission, in duplicate, with one copy carbon-backed, statements that will show for each valuation section:

(a) A list of property added since the inventory or since the date of any such previous list and its cost.

(b) A list of property retired or released since the inventory or since the date of any such previous list and its cost.

2. *Property Added.*—Property added shall be reported separately from property retired and by actual "in place" quantities in terms of the units shown in the "List of Units", Part IV, with descriptive detail to conform with that therein prescribed.

3. *Cost of Property Added.*—The amounts reported as the cost of property added shall be those that affect the "Carrier Property Accounts", exclusive of Accounts 191 and 192. Costs shall be allocated to each parcel of land, unit of equipment or machinery, building or other structure, except that recurring items having the same capacity, dimensions, and description may be grouped and the total cost reported as a single entry. For the primary accounts containing only property classified as mass property, the total cost for the account only need be shown. In every case where the unit of reporting is "Lot", the cost applicable thereto shall be stated.

4. *Property Retired.*—Property retired shall be reported separately from property added and in terms of the units shown in the "List of Units" with descriptive details to conform with those therein prescribed, except that property included in the Commission's inventory and subsequently retired may be stated in terms of the units shown therein. The retirement of a complete structure or unit of equipment separately shown in such inventory need be described only to the extent necessary to permit identification of such structure or unit in the inventory.

5. *Retirement Quantities.*—In reporting retirements of property which was included in the inventory of the Commission, the quantities thereof shall agree with the quantities included in the inventory.

In reporting retirements of property added subsequent to the inventory of the Commission, the quantities thereof shall conform with the record of the installation of such property as previously reported on Form 588-R.

6. *Costs Applicable to Property Retired, Other Than Land and Rights of Way.*—The costs to be reported applicable to property retired shall be the book cost thereof and shall be reported in Column 11 on forms like B. V. Form 588-R.

In determining the cost of property retired, when it is impracticable, because of the relatively large number and small size of the units, to determine the specific book cost thereof, average book cost may be used.

7-A. *Lands and Rights.*—Changes in lands and rights owned or used for the purposes of a common carrier, including acquisitions, retirements, relinquishments, sales or other transfers, shall be reported on B. V. Form 588-R, Subschedule L-P (sample attached). This subschedule shall be filed in duplicate with one copy carbon-backed. On Subschedule L-P there shall be shown in column captioned "Remarks" for lands or rights acquired a statement of the specific uses to which such property has been put, and for lands or rights retired, transferred, or relinquished from carrier use, the disposition thereof, such as sales, transfers to noncarrier, reversions, et cetera. Lands shall be designated by the map num-

¹ Forms Nos. 588-R were filed with the Division of the Federal Register; copies are obtainable upon application to the Interstate Commerce Commission.

ber and parcel number shown therefor in the land inventory if included therein, or by the map number and parcel number assigned to the land acquired subsequent to such inventory, as may be appropriate. Maps prepared in accordance with the specifications of Valuation Order No. 26 showing all additions owned or used for the purposes of a common carrier shall be submitted with Subschedule L-P. Retirements of portions of land parcels included in the original inventory, or in reports filed in compliance with this order, shall be indicated on copies of the original maps. Maps will not be required where an entire parcel, previously reported, is retired.

Where maps already in existence contain, in the opinion of the Bureau of Valuation, the necessary information in such form that it is reasonably available, these will be accepted.

Assessments for public improvements applicable to lands owned or used for common-carrier purposes shall be reported on Subschedule L-P allocated to the parcel affected.

7-B. Rights of Way.—Changes in rights of way need be reported only by giving a general description, together with the total cost for a valuation section.

8. Costs Applicable to Land and Rights.—The costs to be reported for lands and rights acquired or retired shall be the cost at the date of dedication to public use. Incidental costs of lands or rights shall be reported separately from the bare cost of lands or rights, and in the case of lands or rights retired there shall be reported also, and separately, the amount entered in the "Carrier Property Accounts."

9. Property Transferred From Carrier Use to Noncarrier Classification and Vice Versa.—In reporting changes in carrier property, transfers from noncarrier to carrier use shall be considered additions, and transfers from carrier to noncarrier use shall be considered retirements, and conversely when reporting for noncarrier property.

10. Jointly Owned Property and Joint Projects.—Changes in jointly owned or jointly constructed property shall be reported separately from other property changes. The total quantities and total cost of the project shall be reported and the amount applicable to each primary account shown in the description column of form like B. V. Form 588-R, as shall also the names of the owning or participating companies, individuals, or political subdivisions, with the proportions owned and amounts contributed by each. The costs to be entered under the heading "Property Added" or "Property Retired" shall be the portion only of the total cost borne by the company for which the report is made.

11. Changes Made in or to Property of Other Common Carriers.—Where one carrier assumes the cost of a change upon another carrier's property, or where one or more carriers participate with the owner in the cost of a change in the latter's property, the full details of the property units involved and their cost shall be reported separately from other property changes and the facts as to ownership and use shall be stated.

12. Property Acquired Through Purchase From Another Common Carrier or Through Merger, Consolidation, or Reorganization.—Pursuant to Sections 10 and 11 of Valuation Order No. 3, the changes made in the property during the interval between the date it was inventoried to the former owner and the date transferred to the vendee shall be reported separately from the changes made in such property subsequent to its acquisition. In addition to such changes, there shall be reported separately a statement of the property acquired, together with the money outlay for constructing and improving such property, including a statement of the amounts representing the difference between the cost of acquisition and such money outlay, in the Convenience Account styled "Difference between the price paid for property acquired and the money outlay for construction and improvement of that property", and also a statement describing the manner in which the money outlays were ascertained and the basis of distribution among the Primary Accounts that are applicable to property.

If the property has been acquired from individuals, firms, corporations, or others not common carriers, the statement shall show in addition to the foregoing, the manner in which the inventory of the property was determined.

13. General Expenditures.—When items of general expenditures, such as for engineering, taxes, interest during construction, law expenses, et cetera, have been included in a particular primary account of the "Carrier Property Accounts" as a part of the cost of any specific property, such amounts shall be separately stated under each primary account and indication shall be given as to the general nature of the expense.

14. Other Changes.—The foregoing regulations prescribe the manner of reporting property changes, the cost of which affects the "Carrier Property Accounts." The rules relating to the manner of reporting changes in miscellaneous physical property are set out in Part III. If there have been other changes which affect the condition and value of the carrier's property, such changes shall be reported separately, together with their cost, from those the cost of which affects the "Carrier Property Accounts", but in conformity with the general rules governing the reporting under those accounts, and an explanation shall be made of the accounting performed in connection with such changes.

15. Subschedules.—Subschedules are provided by these instructions for reporting changes in land (see Sections 7-A and 7-B) and miscellaneous physical property (see Section 23). Other subschedules may be used for reporting the foregoing and other classes of property, provided they are first approved by the Bureau of Valuation as to form and method of preparation. When subschedules are used, the total debits and total credits under each primary account shall be shown on B. V. Form 588-R and appropriate reference made to such subschedules. Subschedules shall be filed in duplicate with one copy carbon-backed.

PART II—SPECIAL INSTRUCTIONS

16. Classes of Property.—For convenience in reporting the carrier's property, except lands and rights, shall be considered as consisting of two distinct classes.

(a) Property having a common description and which regardless of its extent or volume may be collected into a single quantity within a valuation section.

(b) Property which from its nature must be reported separately from property of like kind and characteristics and serving similar purposes.

17. Mass Property.—Property described under (a) above shall for the purposes of this instruction be called mass property. It shall generally include line pipe, line pipe fittings, pipe line construction, and communication systems. In reporting changes in mass property, it shall be necessary only that like quantities within a valuation section be collected and reported as a single item.

18. Structural and Mechanical Property.—Property described under (b) above, shall, for the purposes of this instruction, be called structural and mechanical property. It shall generally include buildings, boilers, pumping equipment, machine tools and machinery, other station equipment, oil tanks, delivery facilities, vehicles, and other work equipment. In reporting changes in such property, it is necessary that each building, boiler, machine, vehicle, or other similar equipment be reported separately, except that items of the same size, capacity, or dimension, and having a common description, may be grouped as for mass property. In reporting costs for such property, the costs shall be allocated to each building, machine, or other separate item, except that recurring items having the same capacity, dimensions, and description may be grouped and the total cost reported as a single entry.

19. Structural and Mechanical Property—Additions to and Retirements From.—In reporting additions to or retirements from property classified as structural and mechanical property, all changes affecting a given building, structure, machine, et cetera, shall be grouped under a common description of such facility, or appropriate reference made to the same in the Commission's inventory. Each group with the cost thereof shall be reported thereunder in terms of the units and descriptions prescribed in the "List of Units" as may be appropriate. In reporting retirements of units designated as structural and mechanical property to which addi-

tions and retirements have been made since valuation date, the net cost of such additions and retirements shall be stated separately from the costs attaching to the unit as it existed on valuation date or as installed subsequently thereto.

20. *Structural and Mechanical Property Retired and Replaced.*—When a unit of such property is retired and replaced, the retirement entry shall include all parts of such unit. Reused parts, if any, shall be considered as additions and so reported. Reused parts shall be designated as such and separately stated.

21. *Valuation Sections.*—Complete reports shall be prepared separately for each valuation section determined as of date of valuation and for those subsequently established.

22. *Modifications of Items and Units.*—Modifications in the items, units, forms, and other matters of reporting may be made only with the approval of the Bureau of Valuation.

PART III—SPECIAL INSTRUCTIONS FOR MISCELLANEOUS PHYSICAL PROPERTY

23. *Subschedule M-P.*—On Subschedule M-P (sample attached), there shall be reported the changes in the physical property that is owned and "held for purposes other than those of a common carrier", including the additions to and the improvements on such property during the period, and the sales, transfers, abandonments, or other disposition made of such property or any part of it during the same interval. This subschedule shall be accompanied by maps showing all changes in lands in accordance with the requirements prescribed under Section 7-A—Lands and Rights, and Section 7-B—Rights of Way, Part I.

The information shall be as prescribed on Subschedule M-P and shall be grouped as may be appropriate under the following headings that shall be inserted upon the form.

1. Unimproved noncarrier lands.
2. Improved noncarrier lands.
3. Noncarrier improvements upon land which is classified as devoted to common-carrier purposes.
4. Noncarrier improvements upon lands belonging to others.
5. Assessments for public improvements applicable to noncarrier lands shall be reported by lump sums for each year.

Companies engaged in producing, manufacturing, or other operations in addition to pipe line operations shall include in Subschedule M-P noncarrier property of their pipe line divisions only.

PART IV—LIST OF UNITS

The units referred to herein are those prescribed for the use of carriers by pipe line in the preparation of Completion Reports, Record of Property Changes, and B. V. Form 588-R.

The items and units listed are to be considered as representative only and not as excluding from any account analogous items omitted from the list. Where additional units are required in a given account, appropriate designations should be selected from the lists in other accounts.

If type symbol designations are used as descriptive of the character and size of items, a complete and detailed description of what comprises each type shall be filed with and be subject to the approval of the Bureau of Valuation.

In the following list, the phrases shown in parentheses after each item are indicative of the descriptive information required and the subdivision by class for each item.

All property shall be reported by valuation sections. Land, structural, and mechanical property (except portable units, field pumps, and similar units of property) must be reported by accurate location within a valuation section. When necessary to supplement description, this should be done by reference to available plans and specifications or by sketches or photographs. "Secondhand" or "reused" materials shall be so designated.

Accounts 101, 151, 171—Land

Item	Unit
Land (Identify by map and parcel number) ..	Acre or Sq. Ft.

Accounts 102, 152—Rights of Way

Rights of way	Rod or Mile.
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Accounts 103, 153—Line Pipe

Item	Unit
Line Pipe (Nominal or inside diameter, average length of joint, kind of end, material, weight per lineal foot; state if new or secondhand; state type, such as Seamless, Lap weld, et cetera)	Lin. Ft.

Accounts 104, 154—Line Pipe Fittings

All fittings	Lot.
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Accounts 105, 155—Pipe Line Construction

Clearing (Width and kind—light, medium, or heavy)	Lin. Ft.
Installing Pipe (Give average haul from delivery point of pipe, approximate size of ditch, character of excavation, size of pipe, whether welded or screw, whether buried or exposed)	Lin. Ft.
Coating (Size of pipe, kind of coating, number of coats of enamel, number of wrappings)	Lin. Ft.
Casing under highways, railroads, et cetera (Size)	Lin. Ft.
River Clamps (Weight)	Each.

Accounts 106, 156, 176—Buildings

Buildings (when total cost of building, including station improvements, is less than \$1,000):	
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Description (giving over-all dimensions) ..	Each.
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Buildings (when total cost of building, including station improvements, ranges from \$1,000 to \$5,000):	
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Description (giving over-all dimensions with brief statement regarding porches, foundations, lighting, heating, and plumbing)	Each.
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Station Improvements (Sewers, sidewalks, fences, et cetera)	Lot.
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Buildings (when total cost of building, including station improvements, exceeds \$5,000):	
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Superstructure:

Dwellings, Pump Stations, Offices, Warehouses, et cetera (Frame)	Cu. Ft.
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Dwellings, Pump Stations, Offices, Warehouses, et cetera (Galvanized Iron)	Cu. Ft.
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Dwellings, Pump Stations, Offices, Warehouses, et cetera (Brick)	Cu. Ft.
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Note.—In general, the superstructure of buildings shall be described by giving a description of:

- (a) Walls.
- (b) Roof.
- (c) Floor.
- (d) Inside finish.
- (e) Over-all dimensions (length, width, height from bottom of sill to eave line and to ridge).

Foundations (Quantities in conventional units).

Porches, sheds, and Canopies:

Open	Sq. Ft.
Covered	Sq. Ft.
Covered and enclosed	Sq. Ft.

Plumbing Fixtures (Do not report inside piping)	Each.
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Heating (State if from central plant or from boiler in building being reported)	Sq. Ft. of Radiation.
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Unit Heaters (Trade name and size)	Each.
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Lighting:	
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Open wiring outlets	Each.
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Conduit wiring outlets	Each.
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Vapor proof fixtures	Each.
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Miscellaneous:

Any important additional items, such as elevators, large chimneys, fire escapes, and vaults, should be briefly described and their units listed.

Pipe:

Outside Pipe (Kind, size, new, or secondhand)	Lin. Ft.
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Septic Tanks, except Concrete (Kind and size)	Each.
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Concrete Septic Tanks, Pits, Valve Boxes, Platforms, Pipe Racks, Bridges, Towers, et cetera:	
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Excavation	Cu. Yd.
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Brick	M.
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Concrete	Cu. Yd.
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Timber (Kind)	M. B. M.
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Structural Steel	Cwt.
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Sheet Iron	Sq. Ft.
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Pipe	Lin. Ft.
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Cable	Lin. Ft.
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Item	Unit
Fences:	
Woven Wire (Height), including gates and posts	Lin. Ft.
Barb Wire (number of strands), including gates and posts	Lin. Ft.
Patented (description and height), including gates and posts	Lin. Ft.
Sidewalks (Kind and thickness)	Sq. Ft.
Drives (Kind and thickness)	Sq. Yd.
Wells (Diameter)	Lin. Ft.
Windmills (Kind, diameter of wheel, height of tower)	Each.
Landscaping, including seeding, shrubbery, flowers, and trees	Lot or Acre.

Accounts 107, 157—Boilers

Boilers (Carrier's number, type, maker, rated horsepower and working pressure, weight, kind of setting, new or second-hand; stack—kind, diameter, and height)	Each.
Foundation (Kind of masonry)	Cu. Yd.

Accounts 108, 158—Pumping Equipment

Engines (Carrier's number, kind, maker, model number, rated B. H. P. and speed, horizontal or vertical; number, diameter and stroke of cylinders; air or solid injection; make and size of coupling, weight; new or secondhand)	Each.
Foundation (Kind of masonry)	Cu. Yd.
Pumps—Reciprocating (Carrier's number, kind, vertical or horizontal; simplex, duplex, or triplex; piston or plunger, maker, model number, diameter and stroke of cylinders, kind of drive, kind of lubrication, kind and size of coupling, weight; new or second-hand)	Each.
Foundation (Kind of masonry)	Cu. Yd.
Small Field Pumps (Kind and size. Report by valuation section)	Each.
Pumps—Centrifugal (Carrier's number, kind, maker, model number, number of stages, size, rated speed, kind of drive, kind and size of coupling, weight; new or second-hand)	Each.
Foundation (Kind of masonry)	Cu. Yd.
Electric Motors (Carrier's number, kind, maker, rated horsepower and speed, type, form, volts, weight; starter—make, kind and size. New or secondhand)	Each.
Foundation (Kind of masonry)	Cu. Yd.

Accounts 109, 159, 179—Machine Tools and Machinery

Major Machine Tools and Machinery (Carrier's number, kind, make, model number, size or capacity, special attachments, weight; new or secondhand)	Each.
Foundation (Kind of masonry)	Cu. Yd.
Minor Fixed Machines (Kind and number)	Lot.
Portable Machines (Kind and number. Report by valuation section)	Lot.
Shafting, Hangers, Pulleys, and Belting (Brief description)	Lot.
Small Tools (Report by valuation section)	Lot.

NOTE.—Major machines need be only those that cost in place \$500 or more.

Accounts 110, 160—Other Station Equipment

Pipe and fittings in these accounts shall be reported in place. No detailed description of labor costs should be given.
For list of other units for property charged to these accounts, see units as designated for like items in other accounts.

Accounts 111, 161—Oil Tanks

Oil Tanks (Carrier's number, capacity, dimensions, material; bolted, riveted, or welded; manufacturer, kind, and description of roof; state whether new or secondhand. Weight in pounds of steel)	Each.
Appurtenances, other than those commonly furnished by manufacturer	Lot.
Fire Walls and Grades (State kind of material)	Cu. Yd.
Concrete	Cu. Yd.

Accounts 112, 162—Delivery Facilities

Use units prescribed for other accounts where applicable. Other units as follows:	
Piling (Number, kind, size, treated or untreated)	Lin. Ft.

Item	Unit
Timber (Size, kind, treated or untreated. To be reported, (1) 8" x 16" and up, (2) all other sizes)	M. f. b. m.
Dredging	Cu. Yd.
Paving (Kind; thickness of paving and base)	Sq. Yd.
Sidewalk (Kind and thickness)	Sq. Ft.
Cables (Kind and size)	Lin. Ft.
Hose (Kind, size, length)	Each.
Structural Steel	Cwt.
Sidings and Spur Tracks (Give weight per yard of rail. State if new or secondhand)	Track Ft.

Accounts 113, 163, 183—Communication Systems

Poles, in place (Kind of material, length, top dimensions; treatment, if any. State number of rock or swamp settings)	Each.
Crossarms, including hardware (4, 6, 8, or 10-foot lengths; not necessary to list type or material)	Each.
Double arms (Number of sets of double arms; crossarms to be included with single arms)	Each.
Pins, Brackets, Guys, and Anchors (State briefly general type of construction, namely, steel pins, et cetera)	Lot.
All minor changes (Report by valuation section with brief description)	Lot.
Wire—Kind. (Includes insulators, sleeves, and tie wire. Report gauge, B. & S., B. W. G., or N. B. S.)	Mile.
Cable—Aerial or Underground	Lot.
Cable—Submarine (Report number of pairs, gauge, insulation, sheath, single or double armor)	Lin. Ft.
Dredging (Submarine cable)	Cu. Yd.
Trench Excavation (Submarine cable)	Cu. Yd.
Trench—Conduit (Report number and material of ducts as additional data)	Lin. Ft.
Manholes (Report inside dimensions and material of walls)	Each.
Equipment:	
Fixed Telephone	Each.
Foot Switch	Each.
Portable or Mine Type Telephone	Each.
Gong or Extension Bell	Each.
Howler with Relay	Each.
Test Sets	Each.
Telegraph Sets (based on number of relays)	Each.
Telegraph Repeaters	Each.
Selectors (Way Station)	Each.
Telegraph Tables (Pump Station)	Each.
Motor Generator Sets (Report watt output)	Each.

NOTE.—Major units of equipment not shown above, report detail, including name of manufacturer and catalog reference.

Not necessary to report interior wire and miscellaneous items used in installation of equipment.

Accounts 114, 164, 184—Office Furniture and Equipment

These units, for each building, shall be reported by	Lot.
Important pieces, such as typewriters, calculating machines, and safes, may be reported separately, with a description.	

Accounts 115, 165, 185—Vehicles and Other Work Equipment

Major Vehicles and Other Work Equipment (Carrier's number, kind, make, year and model number, special equipment; new or secondhand)	Each.
Minor Vehicles and Other Work Equipment	Lot.

NOTE.—Major Vehicles and Other Work Equipment need be only those that cost \$200 or more.

Accounts 116, 166, 186—Other Property

Engineering	No units needed.
General Expenditures (Describe character and nature of expenditures)	No units needed.
Interest During Construction (State rate and length of interest period)	No units needed.

NOTE.—For list of units for property charged to these accounts, see units as designated for like items in preceding accounts.

[F. R. Doc. 3453—Filed, November 19, 1936; 11:54 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 9th day of November A. D. 1936.

[No. MC 86027]

APPLICATION OF ELIAS SIMON FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Elias Simon, Individual, Doing Business as Elias Simon & Son, of 37 Broadway, Dover, N. H., for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operation), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce, from and between Points Located in the States of New Hampshire, Massachusetts, Maine, Vermont, Connecticut, and Rhode Island, Over Irregular Routes

A more detailed statement of route or routes (or territory) is contained in said application, copies of which are on file and may be inspected at the office of the Interstate Commerce Commission, Washington, D. C., or offices of the boards, commissions, or officials of the States involved in this application.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing on the 8th day of December A. D. 1936, at 10 o'clock a. m. (standard time), at the U. S. Court Rooms, Concord, N. H., and for recommendation of an appropriate order thereon accompanied by the reasons therefor;

It is further ordered, That notice of this proceeding be duly given;

And it is further ordered, That any party desiring to be notified of any change in the time or place of the said hearing (at his own expense if telegraphic notice becomes necessary) shall advise the Bureau of Motor Carriers of the Commission, Washington, D. C., to that effect by notice which must reach the said Bureau within 10 days from the date of service hereof and that the date of mailing of this notice shall be considered as the time when said notice is served.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 3452—Filed, November 19, 1936; 11:54 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 6th day of November A. D. 1936.

IN THE MATTER OF ANNUAL REPORTS FROM CARRIERS BY PIPE LINE

The subject of the requirement of annual reports from carriers by pipe line being under consideration:

It is ordered:

1. That the order of this Commission dated September 12, 1930, in the matter of annual reports from carriers by pipe line, is hereby annulled.

2. That all carriers by pipe line subject to the provisions of the Interstate Commerce Act be and they hereby are required to file an annual report for the year ending December 31, 1936, and for each succeeding year until further order, in accordance with Annual Report Form P (Carriers by Pipe Line), which is hereby approved and made a part of this order.

It is further ordered, That the annual report shall be filed, in duplicate, in the Bureau of Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31, of the year following the one to which it relates.

By the Commission, division 4.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 3454—Filed, November 19, 1936; 11:54 a. m.]

ORDER

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 10th day of November A. D. 1936.

IN THE MATTER OF ANNUAL REPORTS FROM SLEEPING CAR COMPANIES

The subject of the requirement of annual reports from sleeping car companies being under consideration:

It is ordered:

1. That the order of this Commission dated September 12, 1930, in the matter of annual reports from sleeping car companies, is hereby annulled.

2. That all carriers by sleeping car companies subject to the provisions of the Interstate Commerce Act be, and they hereby are, required to file an annual report for the year ending December 31, 1936, and for each succeeding year until further order, in accordance with Annual Report Form I (Sleeping Car Companies), which is hereby approved and made a part of this order.

It is further ordered, That the annual report shall be filed, in duplicate, in the Bureau of Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

By the Commission, division 4.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 3455—Filed, November 19, 1936; 11:55 a. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 10th day of November A. D. 1936.

IN THE MATTER OF ANNUAL REPORTS FROM STEAM RAILWAY COMPANIES OF CLASS III

The subject of the requirement of annual reports from steam railway companies being under consideration:

It is ordered, That all steam railway companies of Class III subject to the provisions of the Interstate Commerce Act be and they hereby are required to file an annual report for the year ending December 31, 1936, and for each succeeding year until further order, in accordance with Annual Report Form C (Small Roads), which is hereby approved and made a part of this order.

It is further ordered, That the annual report shall be filed in duplicate, in the Bureau of Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

By the Commission, division 4.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 3456—Filed, November 19, 1936; 11:55 a. m.]

[Fourth Section Application No. 16513]

LIVE STOCK IN TRUNK LINE TERRITORY

NOVEMBER 19, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: W. S. Culllett, Agent.

Commodity involved: Live stock, in carloads.

Between: Points in Trunk Line territory.

Grounds for relief: To maintain grouping.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate

and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 3457—Filed, November 19, 1936; 11:55 a. m.]

[Fourth Section Application No. 16615]

GRAVEL FROM READING, MO.

NOVEMBER 19, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: R. A. Sperry, Agent.
Commodity involved: Gravel, road surfacing, in carloads.
From: Reading, Mo.
To: Ursa, Paloma, and Fowler, Ill.
Grounds for relief: Truck competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 3458—Filed, November 19, 1936; 11:55 a. m.]

[Fourth Section Application No. 16616]

ASPHALT IN THE SOUTH

NOVEMBER 19, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by: J. E. Tilford, Agent.
Commodity involved: Asphalt (asphaltum), natural, by-product of petroleum, in carloads.
Between: Points in Virginia in southern territory.
Grounds for relief: To maintain grouping; to meet intrastate rates.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 3459—Filed, November 19, 1936; 11:55 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 13th day of November 1936:

[File No. 2-2516]

IN THE MATTER OF STERLING ALUMINUM PRODUCTS, INC.

ORDER CONSENTING TO WITHDRAWAL OF REGISTRATION STATEMENT ON REQUEST OF APPLICANT AND DISMISSING STOP ORDER PROCEEDINGS

The Commission, having due regard to the public interest and the protection of investors, upon the request of the registrant, consents to withdrawal of the registration state-

ment of the above-named registrant, and said registration statement being so withdrawn, the Commission further dismisses a certain stop order proceeding under Section 8 (d) of the Securities Act of 1933, as amended, the said stop order proceedings having been heretofore on November 13, 1936, authorized, and to that effect.

It is so ordered.

By direction of the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3460—Filed, November 19, 1936; 12:31 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 19th day of November A. D. 1936.

[File No. 43-15]

IN THE MATTER OF THE KANSAS ELECTRIC POWER COMPANY

NOTICE OF AND ORDER FOR HEARING

A declaration having been duly filed with this Commission, by The Kansas Electric Power Company, a subsidiary company of The Middle West Corporation, a registered holding company, pursuant to Section 7 of the Public Utility Holding Company Act of 1935, regarding the issue and sale by declarant to said The Middle West Corporation of declarant's 3% Note, in the principal amount of \$500,000 or any part thereof, to be dated November 27, 1936, and to mature on or before December 31, 1936, and the declarant's 3% Note, in the principal amount of \$300,000 or any part thereof, to be dated upon the date of the advance of the funds thereon (at any time between November 27, 1936, and December 20, 1936), and to mature on or before December 31, 1936, the proceeds of said Notes (together with other moneys in declarant's treasury) to be used to redeem and discharge \$1,000,000 principal amount of outstanding First Mortgage Gold Bonds, Series of 1951, 5%, due June 1, 1951, of declarant, which have been called for redemption and payment on December 1, 1936, or to reimburse declarant's treasury for funds advanced or used for that purpose, pending receipt by declarant of the proceeds of its proposed new issue of bonds.

It is ordered that a hearing on such matter be held on November 27, 1936, at ten o'clock in the forenoon of that day at Room 218, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before November 25, 1936.

It is further ordered, that Charles S. Moore, an officer of the Commission, be, and he hereby is, designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3461—Filed, November 19, 1936; 12:31 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 18th day of November A. D. 1936.

[File No. 32-45]

**IN THE MATTER OF TIDEWATER ELECTRIC SERVICE COMPANY
NOTICE OF HEARING AND ORDER DESIGNATING TRIAL EXAMINER**

An application having been duly filed with this Commission, by Tidewater Electric Service Company, a subsidiary company of East Coast Public Service Company, a registered holding company pursuant to Section 6 (b) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of Section 6 (a) of said Act of the issue and sale of (a) 700 shares of common stock of the applicant, and (b) \$37,200 principal amount of non-negotiable promissory notes payable on demand, the proceeds of which are to be used for building certain rural lines; and (c) \$40,000 principal amount of First Mortgage, Six Percent Bonds which, upon completion or substantial completion of such rural lines, are to be used for refunding of the \$37,200 of promissory notes referred to above;

It is ordered that such matter be set down for hearing on December 1, 1936, at 2:00 o'clock in the afternoon of that day, at Room 218, Securities and Exchange Building, 1773 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before November 27, 1936.

It is further ordered, that Charles S. Moore, an officer of the Commission, be, and he hereby is, designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3462—Filed, November 19, 1936; 12:31 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 18th day of November A. D. 1936.

**IN THE MATTER OF AN OFFERING SHEET OF AN OVERRIDING
ROYALTY INTEREST IN THE MID-COLORADO-OLMHOLT FARM,
FILED ON NOVEMBER 2, 1936, BY M. RUSSELL RICHARDSON,
RESPONDENT**

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding:

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office

of the Commission on November 17, 1936, be effective as of November 17, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3463—Filed, November 19, 1936; 12:31 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 17th day of November A. D. 1936.

[File No. 20-1A37-1]

**IN THE MATTER OF AN OFFERING SHEET OF ROYALTY INTERESTS
IN THE GULF-CULP FARM, FILED ON JULY 16, 1936, BY CONTINENTAL
INVESTMENT CORPORATION, RESPONDENT**

PERMANENT SUSPENSION ORDER

The Securities and Exchange Commission initiated this proceeding pursuant to the provisions of Rule 340 of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, to determine whether or not an order should be entered suspending the effectiveness of the filing of an offering sheet of royalty interests in the "Gulf-Culp Farm", located in Lea County, New Mexico, which offering sheet was filed with the Commission on July 16, 1936, by Continental Investment Corporation, of Tulsa, Oklahoma, the respondent herein.

This matter having come on regularly for hearing before the Commission at Washington, D. C., on August 20, 1936, and due notice thereof having been given to the said respondent, and the said respondent having failed to appear and evidence both oral and documentary having been introduced, and the hearing having been closed, and the Commission having found upon the evidence that said offering sheet fails to comply with a material requirement of the Rules and Regulations of the Commission, and is incomplete all as more fully set forth in the findings and opinion of the Commission filed in this proceeding, and it appearing appropriate in the public interest so to do;

It is ordered, pursuant to Rule 340 (b) of the Commission's General Rules and Regulations promulgated under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and same hereby is, permanently suspended.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3464—Filed, November 19, 1936; 12:32 p. m.]

VETERANS' ADMINISTRATION.

APPLICATION FOR BENEFITS

R-1026 (C) Applications for compensation, pension, or burial allowance shall be sworn to before a court of record, or some officer thereof having custody of its seal, or before some officer who has authority to administer oaths for general purposes, or employees of the Veterans' Administration to whom authority to administer oaths has been properly delegated, or, if the person is in the active service at the time of making application, before an officer duly authorized by the Army, Navy, Marine Corps, or Coast Guard to administer oaths for the purposes of military or naval administration. In connection with the execution of applications in foreign countries, see R. & P. R-1032 (November 18, 1936) (Public, No. 344, 74th Congress).

[SEAL]

FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 3449—Filed, November 18, 1936; 3:20 p. m.]

